

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-6724**

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KYLE DELANO SMITH,

Plaintiff - Appellant,

v.

DEPARTMENT OF CORRECTIONS SUSSEX I STATE PRISON,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:14-cv-00058-HEH-MHL)

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Submitted: September 23, 2014

Decided: September 26, 2014

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Before NIEMEYER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Kyle Delano Smith, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kyle Delano Smith appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) suit without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smith v. Dep't of Corr., No. 3:14-cv-00058-HEH-MHL (E.D. Va. May 1, 2014). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED